

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF WEST VIRGINIA  
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:02-00207

TIMOTHY W. DODD

SUPERVISED RELEASE REVOCATION AND JUDGMENT ORDER  
MEMORANDUM OPINION AND ORDER

On February 5, 2014, the United States of America appeared by Jennifer L. Rada, Assistant United States Attorney, and the defendant, Timothy W. Dodd, appeared in person and by his counsel, Mary Lou Newberger, Assistant Federal Public Defender, for a hearing on the petition on supervised release and amendment thereto submitted by United States Probation Officer Justin L. Gibson. The defendant commenced a three-year term of supervised release in this action on August 9, 2013, as more fully set forth in the Judgment Including Sentence Under the Sentencing Reform Act entered by the court on January 29, 2003.

The court heard the admissions of the defendant and the representations and argument of counsel.

For reasons noted on the record of this proceeding, which are ORDERED incorporated herein by reference, the court found that the defendant has violated the conditions of supervised release in the following respects: (1) the defendant used and possessed amphetamine and methamphetamine as evidenced by positive urine specimens submitted by him on October 28, November 20 and 27, December 5 and 26, 2013, and January 2, 2014, and his admissions to the probation officer as set forth in the petition and the amendment; and (2) the defendant was in possession of methamphetamine and hydrocodone on January 10, 2014; all as admitted by the defendant on the record of the hearing and as set forth in the petition on supervised release and amendment thereto.

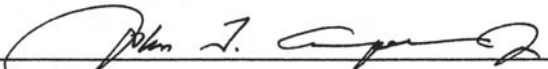
And the court finding, as more fully set forth on the record of the hearing, that the violations warrant revocation of supervised release and, further, that it would unduly depreciate the seriousness of the violations if supervised release were not revoked, it is ORDERED that the supervised release previously imposed upon the defendant in this action be, and it hereby is, revoked.

And the court having complied with the requirements of Rule 32(a)(1)(B) and (C) of the Federal Rules of Criminal Procedure, and finding, after considering the factors set forth in 18 U.S.C. § 3583(e), that the defendant is in need of correctional treatment which can most effectively be provided if he is confined, it is accordingly ORDERED that the defendant be, and he hereby is, committed to the custody of the United States Bureau of Prisons for imprisonment for a period of THREE (3) MONTHS, to be followed by a term of thirty-three (33) months of supervised release upon the standard conditions of supervised release now in effect in this district by order entered June 22, 2007, and the further condition that the defendant not commit another federal, state or local crime and the special condition that he spend the first five (5) months in a community confinement center and follow the rules and regulations of the facility and participate in drug abuse counseling and treatment as directed by the probation officer, including a 28-day inpatient program if it appears to be warranted.

The defendant was remanded to the custody of the United States Marshal.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshal.

DATED: February 11, 2014

  
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John T. Copenhaver, Jr.  
United States District Judge